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| APPLICATION NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
|--------------------|-------------|-----------------------|---------------------|
|--------------------|-------------|-----------------------|---------------------|

08/975,101 11/20/97 AKAZAKI

S P7101-7003

EXAMINER

GMS1/0513
NIKAIDO MARMELESTEIN MURRAY AND ORAM
METROPOLITAN SQUARE
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WASHINGTON DC 20005-5701

DEFERMENT, 1 PAPER NUMBER

7

DATE MAILED:

05/13/99

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

Supplementary
NOTICE OF ALLOWABILITY

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to the IDS filed 4/23/98

☒ The allowed claim(s) is/are 1-24

☐ The drawings filed on _____ are acceptable.

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☐ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☐ including changes required by the Notice of Draftperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. _____

☐ including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 6

☐ Notice of Draftperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☐ Interview Summary, PTO-413

☐ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☐ Examiner's Statement of Reasons for Allowance

Thomas E. Denion

Thomas E. Denion
Primary Examiner

Art Unit: 3745

EXAMINER'S AMENDMENT

Pursuant to the telephone interview with the applicants attorney on 3/3/99, the following amendment has been entered.

IN THE CLAIMS:

Claim 1 line 19: "at or close" has been replaced by --adjacent--

line 22: "close to" has been replaced by --surrounding--

line 22: "the" (second) has been deleted

Claim 7 line 4: "the" (first) has been replaced by --a--

Claim 15 line 4: "the" (first) has been replaced by --a--

The above amendment has been entered to place the instant application in compliance with 35 USC § 112 2nd paragraph.


REASON FOR ALLOWANCE

The claimed combination including the chamber surrounding the branching point with the conduit connected to the bypass at one end of the chamber, is not disclosed nor rendered obvious over the art of record.

Any inquiry concerning this communication should be directed to Thomas Denion at telephone number (703) 308-2623.

ted

March 4, 1999


Thomas E. Denion
Primary Examiner